



# HOMEOWNER MANUAL

City of Novi  
Neighborhood Services/Code Compliance Department  
45175 West Ten Mile Road  
Novi Michigan 48375  
248-347-0473



## USEFUL PHONE NUMBERS

Provided by the City of Novi  
For More Information  
Visit the City of Novi Web Site at:  
[www.ci.novi.mi.us](http://www.ci.novi.mi.us)

### Emergency Numbers

Novi Police and Fire Emergency ..... 911  
Detroit Edison ..... 1-800-477-4747  
Consumers Energy ..... 1-800-477-5050

### Non-Emergency Numbers

Police Department Main Office ..... 348-7100  
Fire Department Main Office ..... 349-2162

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### City Departments

Assessing ..... 347-0485  
Building ..... 347-0415  
Cable Commission ..... 437-7266  
City Clerk ..... 347-0456  
City Manager ..... 347-0445  
City Treasure ..... 347-0440  
Community Development ..... 347-0475  
Developmental Services ..... 735-5622  
DPW Garage ..... 735-5640  
Finance ..... 347-0465  
Forestry ..... 347-0400  
Human Resources ..... 347-0452  
Library ..... 349-0720  
**Main Line ..... 347-0460**  
Parks & Recreation ..... 347-0400  
Parks & Recreation Hotline ..... 347-0473  
Purchasing ..... 347-0599

Recycling Yard .....	735-5640
Senior Center/OLHSA .....	347-0495
Water & Sewer Billing.....	347-0495
Water & Sewer Supervisor .....	735-5639
Youth Assistance .....	347-0410

**Non-City Department Useful Numbers**

52-1District Court .....	305-6460
Chamber of Commerce .....	349-3743
Novi Expo Center .....	348-5600
Novi Post Office .....	349-2100
Oakland County Animal Control .....	391-4102
Secretary of State .....	477-7684
Social Security Administration .....	1-800-722-1213
Time Warner Cable .....	553-7300

## CODE COMPLIANCE

### **Sec. 5-9. Limit on number of dogs.**

No person who shall reside on a lot having less than forty thousand (40,000) square feet in area or in an apartment, condominium or other attached dwelling, shall possess, keep or harbor more than three (3) dogs of the age of six (6) months or over, at said premises except where a person has obtained a kennel license from the State of Michigan as provided for in Act No. 339 of Public Acts of 1919, as amended, and conforms with all applicable zoning regulations of the City of Novi. Ord. No. 84-108.02, § 8.01, 4-9-84)

### **Sec. 12-48. Lawn installation following certificate of occupancy.**

Lawn areas shall be installed within six (6) months of issuance of a temporary certificate of occupancy, or, if there is no temporary certificate, within six (6) months of issuance of a final certificate of occupancy. For site plan projects, financial guarantees shall be provided in accordance with section 3005 of the city zoning ordinance. A lawn shall be considered installed when sod is laid or when permanent vegetation is established. The property owner shall be responsible for maintaining soil erosion protection prior to such installation, and shall be responsible for maintaining the approved grade before and after installation.

(Ord. No. 91-103.05, Pt. VIII, 4-8-91; Ord. No. 92-103.06A, Pt. I, 12-7-92; Ord. No. 94-103.07, Pt. I, 6-6-94; Ord. No. 99-103.8, Pt. I, 4-5-99)

### **Sec. 16-19. Receptacles.**

- (a) *Specifications, maintenance.* It shall be the responsibility of both the owner and the person in control of the premises to keep the premises free of any refuse unless the same be kept in receptacles which shall be tightly covered at all times with suitable covers, except for times of filling and collection, and in no case shall any such receptacles be made of wood. Such receptacles must be placed within a totally enclosed building or placed upon an area of the rear yard of the occupant's property so as not to create a nuisance to surrounding residents. It shall be the duty of both the owner and the occupant to keep the receptacles clean and in a sanitary condition and in a good state of repair.
- (b) *Placement for collection.* No person shall place refuse receptacles on the public right-of-way or other designated collection site earlier than twenty-four (24) hours prior to the scheduled collection day. All receptacles must be removed from such areas no later than twelve (12) hours following the actual

collection. It shall be the responsibility of both the property owner and the property occupant to place refuse at the designated collection site within a sealed container or plastic bag so as to prevent objectionable odors, or spillage of refuse upon any public or private site. This section shall not be applied to refuse bins.

(Ord. No. 83-88.01, §§ 15.01, 16.01, 1-10-83; Ord. No. 96-88.03, Pt. I, 3-18-96)

**Sec. 16-56. Definition.**

The term "**litter**" as used in this article means all rubbish, refuse, waste material, garbage, offal, paper, glass, cans, bottles, trash, debris or other foreign substances of every kind and description.

(Ord. No. 70-15, § 2.01, 2-2-70)

**Cross reference(s)**--Definitions and rules of construction generally, § 1-2.

**State law reference(s)**--Similar definition, MCL 752.902, MSA 28.603(2).

**Sec. 16-57. Responsibility of owner, occupant of private property.**

It shall be the responsibility of both the owner and the person in control of the private property to at all times maintain the premises free of litter, provided however, that this section shall not prohibit the storage of litter in receptacles for collection.

(Ord. No. 70-15, § 4.01, 2-2-70; Ord. No. 96-88.03, Pt. II, 3-18-96)

**Sec. 16-58. Manner of placing in receptacles.**

Persons placing litter in receptacles shall do so in such a manner as to prevent it from being carried or deposited by the elements upon any street, sidewalk or other public place or upon private property.

(Ord. No. 70-15, § 3.01(b), 2-2-70)

**Sec. 16-66. Storage of firewood; removal of cleared brush.**

- (a) Whenever firewood is stored as a principal or accessory use within the city such firewood shall be stacked in a neat, orderly manner, and when outdoors at least six (6) inches from any building or structure. Firewood shall not be

stored in the front yard of any parcel occupied for single-family residential use.

- (b) Within fifteen (15) days of the cutting or clearing of any trees, brush or other vegetation (but not including farm products), wood to be retained as firewood shall be stacked in accordance with subpart (a), above, and all other cleared brush and vegetative material shall be removed from the site. This provision shall not apply to trees, brush or other cleared vegetation that is at least five hundred (500) feet from the nearest residence.
- (c) Compliance with subparts (a) and (b) shall be the responsibility of both the owner and any other person in control of the premises.
- (d) For purposes of this section, the term "firewood" is defined as any wood or wood product to be burned as fuel.

Ord. No. 89-141, Pt. II, 7-10-89)

#### **Sec. 16-67. Composting.**

- (a) The restrictions of sections 16-57, 16-64, and 16-65 shall not be deemed to prohibit the maintenance of compost piles on private property, provided there is compliance with the provisions of subsection (b) below.
- (b)
  - (1) Compost piles may include a combination of yard and garden waste (such as weeds, branches, bark, grass clippings, stalks and stems, brush or vines), wood ashes, horse manure, coffee grounds, vegetable scraps, citrus rinds and fruit peelings, egg, peanut and nut shells. Compost piles shall not include meats, dairy products, vegetable oils, cooked foods, or plastics, synthetics or other non-biodegradable materials.
  - (2) Compost piles shall not be located within any drainage easement. Within platted subdivisions, compost piles shall not be located in any side yard or closer than six (6) feet to any property line.
  - (3) Within platted subdivisions, compost piles shall not exceed four (4) feet by eight (8) feet or six (6) feet in diameter and shall not exceed four (4) feet in height. Double compost piles may be utilized, provided the total size does not exceed the above.
  - (4) Compost piles shall be maintained in a manner to prevent the escape of offensive odors to adjacent property.

(Ord. No. 91-15.01, Pt. I, 8-26-91)

**Sec. 16-68. Appliances, fixtures and household furnishings.**

- (a) It shall be the responsibility of both the owner of any private property and any person in control of private property to maintain the exterior of such premises free of appliances, including but not limited to refrigerators, freezers and stoves, household fixtures and furnishings, including but not limited to water heaters and furnaces.
- (b) The provisions of subsection 16-68(a) shall not apply to appliances, fixtures and furnishings specifically designed or adapted for outdoor usage. The provisions of subsection 16-68(a) shall not apply to porches which are covered and enclosed.
- (c) The failure to comply with subsection 16-68(a) shall be violation of this Code.

(Ord. No. 95-15.02, Pt. I, 1-23-95)

**Sec. 21-19. Unlawful to permit other weeds, grass, brush, refuse, debris.**

- (a) It shall be unlawful for the owner, occupant or any person having control or management of occupied or nonoccupied subdivided land, occupied or unoccupied land which is part of a condominium development (including site condominiums), or any other nonsubdivided parcel of land of one (1) acre or less which is occupied by a structure, within the city to permit or allow on such premises or upon the right-of-way of any highway, road or street adjacent to such lot, place, area or parcel, the presence of weeds, grass, brush, or deleterious, unhealthy growths of any species or variety exceeding a height of twelve (12) inches above ground level or any refuse or debris, and the same are hereby declared to be a public nuisance. It shall be the duty of every owner, occupant, or every person in charge of such property upon which any of the above-mentioned weeds, grass, brush, deleterious, unhealthy growths, or refuse or debris is permitted to remain to cause the same to be cut down, destroyed or removed, in the same manner and within the time provided in section 21-18, or more often as may be necessary.
- (b) If such owner, occupant, or person shall knowingly refuse or neglect to comply in this regard he shall, upon conviction in any court of competent jurisdiction, be liable to the penalty imposed in this article for the violation thereof.

(Ord. No. 84-104.1, § 5.01, 3-12-84; Ord. No. 89-104.02, Pt. I, 4-12-89)

**Sec. 28-11. Prohibited signs.**

- (a) A sign not expressly permitted is prohibited.
- (b) The following signs shall not be permitted, erected, or maintained in any district, anything in this chapter to the contrary notwithstanding:
  - (1) Signs which incorporate in any manner any flashing or moving lights; provided, however, time and temperature signs which show both time and temperature simultaneously, on each face, or time only or temperature only in each face are permitted.
  - (2) Banners, pennants, spinners, and streamers.
  - (3) String lights used in connection with commercial premises for commercial purposes, other than holiday decorations. All holiday decorations shall be permitted for a period not to exceed seventy-five (75) days.
  - (4) Any sign which has any visible moving part, visible revolving parts or visible mechanical movement of any description or other apparent visible movement achieved by electrical, electronic, or mechanical means, including intermittent electrical pulsations, by action of normal wind current, or by any other means.
  - (5) Any sign or sign structure which:
    - a. Is structurally unsafe;
    - b. Constitutes a hazard to safety or health by reason of inadequate maintenance, dilapidation, or abandonment;
    - c. Is not kept in good repair;
    - d. Is capable of causing electrical shocks to persons likely to come in contact with it;
    - e. Has peeling paint on any surface;
    - f. Has any parts broken, missing letters, or nonoperational lights.
  - (6) Any sign which, by reason of its size, location, content, coloring, or manner of illumination, constitutes a traffic hazard or a detriment to traffic safety by obstructing the vision of drivers, or by obstructing, or detracting from the visibility of any traffic sign or control device on public streets and roads. Signs which make use of the words such as "Stop," "Look," "Danger," or any other word, phrase, symbol, or character, in such a manner as to interfere with, mislead, or confuse traffic.
  - (7) Any sign which obstructs free ingress to or egress from a required door, window, fire escape or other required exitway.



- (8) Any sign unlawfully installed, erected or maintained.
- (9) Any sign now or hereafter existing which no longer advertises a bona fide business conducted, or a product sold.
- (10) Portable signs except where expressly permitted in this chapter.
- (11) Real estate signs no longer valid due to sale, rental, or lease of the property, except where permitted in section 28-7.

(Ord. No. 37-100.03, §§ 3.01, 5.01, 1-12-87)

**Sec. 31-57. Display of numbers.**

- (a) All single- and two-family residential structures, all multiple residential structures, all places of business, and all other nonresidential structures within the city shall have displayed on the premises the street address number assigned to them in such manner as to be clearly ascertainable from the abutting street. In those cases where a multiple residential development includes more than three (3) buildings utilized for dwellings purposes, each such building shall be further identified by a building number or letter.
- (b) The street address number displayed at a multiple residential structure shall include all street address numbers assigned to any portion of such structure so that all numbers are clearly ascertainable from the abutting street or court.
- (c) Street address numbers displayed pursuant to this section shall be in arabic numerals three (3) to four (4) inches in size, or of such greater size as to permit them to be clearly ascertainable from the abutting street. Numbers or letters to identify individual multiple-family buildings shall be eight (8) to twelve (12) inches in size, or of such greater size as to permit them to be clearly ascertainable from the abutting street, internal drive or court. Street address numbers and building numbers/letters shall be of a color which provides a contrast to the background upon which they are displayed. The numbers or letters shall be constructed of a durable material or painted on a permanent structure, and shall be displayed at a height and location as close to the main entranceway of the structure as is practicable and still clearly ascertainable from the abutting street or court.
- (d) Street address numbers shall also be displayed on all single curbside mailboxes or mailbox posts in such a manner as to be visible from both directions and in a color which provides a contrast to the mailbox background.

(Ord. No. 86-123, § 8.01, 4-21-86; Ord. No. 97-123.07, Pt. I, 5-12-97)

**Sec. 33-709. Outdoor storage restricted.**

It is unlawful within the city to park, keep, maintain, accumulate, or permit to remain on any private premises any inoperable or dismantled motor vehicles or parts thereof, unless such vehicle or parts thereof are screened so as to completely obscure the same from view from public places and from neighboring private premises. It shall be the responsibility of both the owner of any private premises and the person in control of such premises to maintain the premises free of inoperable or dismantled vehicles. It shall further be the responsibility of the owner of any inoperable or dismantled vehicle to keep such vehicle from being parked on any private premises in violation of this division.

(Ord. No. 86-22.02, § 4.01, 4-7-86)

### **Sec. 33-721. Definitions.**

The following words, terms, and phrases, when used in this division, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

***Motor vehicle*** means every vehicle which is self-propelled and not operated upon rails.

***Recreational equipment*** means any travel trailer, camp trailer, camper, folding tent trailer, utility trailer, boat, boat trailer, float and raft, including transportation equipment and off-road vehicles, manufactured motorized home, manufactured motor bus, all designed to be used as a temporary dwelling for travel, recreational and vacation use or periodically and occasional recreational and vacation use.

(Ord. No. 89-142, Pt. I, 2-6-89)

### **Sec. 2504. Commercial and Recreational Vehicle Parking and Storage.**

The off-street parking or storage of any mobile home or recreational equipment in any residential district shall be subject the following conditions:

1. Except where otherwise permitted in this Ordinance, the off-street parking of a mobile home for periods exceeding twenty-four (24) hours on lands not approved for mobile homes or mobile home parks, shall be expressly prohibited, except that the Building Inspector [Official] may extend temporary permits allowing the parking of a mobile home in a rear yard on private property, not to exceed a period of two (2) weeks.

All mobile homes owned by residents of the City of Novi and stored on their individual lots shall be stored only within the confines of the rear yard and shall further respect the requirements of Section 2503.1, Accessory Buildings, of this Ordinance, insofar as distances from principal structures, lot lines and easements are concerned.

Any such mobile home so parked or stored shall not be connected to sanitary facilities and shall not be occupied.

2. Recreational equipment may be parked anywhere on a residential premises not to exceed seventy-two (72) hours during loading or unloading.
3. Any recreational equipment less than six (6) feet in height above the ground may be stored in any required side or rear yard. In addition to the general six (6) foot height permitted, minor portions of such equipment not exceeding three (3) square feet in vertical cross section as viewed perpendicular to the adjacent lot line may be permitted to exceed six (6) feet in height.
4. Recreational equipment exceeding six (6) feet in height may be stored in any rear yard or in any nonrequired interior side yard subject to the applicable conditions of this Section regarding Accessory Buildings, with respect to height, yard coverage and setbacks.
5. Recreational equipment parked or stored on residential premises shall be kept in good repair and carry current license plate and registration. The requirement of carrying current registration shall be deemed satisfied for equipment issued a six-month registration pursuant to MCL 257.226(11); MSA 9.1926(11) where such six-month registration is current or was current within the previous six (6) months.
6. At no time shall recreational equipment be used for living or housekeeping purposes, nor may it be connected to water or sanitary sewer facilities.
7. The outdoor storage of recreational equipment on any residential lot or parcel shall be limited to only that equipment owned by, licensed or registered to, the occupant of the residential lot or parcel on which the equipment is stored.
8. In the case of a multiple-family dwelling, a complex of multiple family dwellings, or mobile home parks, the City shall require a screened area, in addition to off-street parking spaces, be provided on the site for the parking and storage of recreational vehicles.
9. (a) A person shall not park, nor a vehicle's registered owner permit to be parked, nor the owner of residentially-zoned property permit to be parked, any commercial vehicle or a commercial trailer on any residentially-zoned property in the city for

any purpose or length of time other than for expeditious loading and delivery or pick-up and unloading of materials, goods, or merchandise, or for the purpose of carrying on a principal use permitted on the property on which the vehicle is parked, or as permitted in subpart (b), below.

(b) A commercial vehicle may be parked on residentially-zoned property if all of the following conditions are met:

- (1) The vehicle is used as the principal means of transportation for a resident in the conduct of his employment or profession or is the resident's sole means of motor vehicle transportation;
- (2) The vehicle is not a dump truck, stake truck, flatbed truck or semi- tractor; and
- (3) The vehicle does not exceed five thousand (5,000) pounds, empty weight, as defined in 1949 PA 300, as amended.

(c) In any proceeding for violation of this ordinance, where a motor vehicle displays commercial license registration plates, such registration shall constitute prima facie presumption that it is a commercial vehicle at the time of any alleged violation.

(a) In any proceeding for violation of the weight limitation provision of this Ordinance, the weight indicated on the vehicle's registration shall constitute a prima facie presumption of the weight of the vehicle at the time of any alleged violation, and any gross vehicle weight classification indicated on the vehicle's registration or plate shall constitute a prima facie presumption that the weight of the vehicle was within such classification at the time of any alleged violation.

### **Sec. 2511. Exterior Lighting.**

1. All outdoor lighting in all Use Districts used to light the general area of a specific site shall be shielded to reduce glare and shall be so arranged as to reflect lights away from all adjacent residential districts or adjacent residences.
2. Outdoor lighting poles or standards shall not exceed the maximum height limitation of the district in which they are located, except that no lighting pole or standard shall exceed twenty-five (25) feet in height when located on land adjacent to a residential district.
3. All outdoor lighting in all Use Districts shall be directed toward and confined to the ground areas of lawns or parking lots.

4. All lighting in nonresidential districts used for the external illumination of buildings, so as to feature said buildings, shall be placed and shielded so as not to interfere with the vision of persons on adjacent highways or adjacent property.
5. Illumination of signs shall be directed or shaded downward so as not to interfere with the vision of persons on the adjacent highways or adjacent property.
6. Artificial light shall be maintained in a manner so as not to constitute a hazard or nuisance.

### **Sec. 2513. Corner Clearance.**

No fence, wall, plant material, sign or other obstruction to vision above a height of two (2) feet from the established street grades shall be permitted within the clear view zone which is the triangular area formed at the intersection of any existing public street right-of-way lines by a straight line drawn between said right-of-way lines at a distance along each line of twenty-five (25) feet from their point of intersection. Medians shall be included in this measurement. Height of shrubs, perennials or ornamental grasses is the mature height for the species of plant material. Canopy and sub-canopy trees can be located at the outside edge of the triangle. No evergreen trees are allowed within or at the edge of the clear view zone. Driveways shall have a ten (10) foot clear view zone as measured from the back of curb and edge of drive. Private roads shall meet the same twenty-five (25) foot clear view zone. (See Corner Clearance Diagram).

### **Sec. 2515. Fences (Residential).**

1. Fences (residential) are subject to the following requirements:
  - a. Fences on all lots of record in all residential districts, which enclose property and/or are within a required side yard:
    - (1) Shall not exceed six feet (6') in height;
    - (2) Shall not extend toward the front of the lot nearer than the minimum front yard setback distance, unless an existing house already extends into the minimum front yard, in which case the fence may extend to the front of the house. The requirements of this subpart shall not apply to decorative fencing (i.e. split rail), of no more than twenty feet (20') in length or four feet (4') in height when erected as part of an approved

landscaping plan. In addition, the requirements of the subpart shall not prohibit fences in the front of lots having water frontage where said fences are placed on or within lot property lines, are no higher than four feet (4') and are constructed of materials that will not obstruct the view of the lake. Hedge rows shall not be permitted on a lot having water frontage from the front of the house to the lake.

b. The restrictions of subpart a, above, shall not apply to residential fences on:

- (1) Lots in excess of two (2) acres within a recorded plat;
- (2) Lots with a frontage of at least two hundred feet (200') within a recorded plat; or
- (3) Acreage parcels not within a recorded plat.

c. Fences on lots of record shall not contain barbed wire, electric current or charge of electricity.

d. Fences which enclose public or institutional parks, playgrounds, or public landscaped areas, situated within an area developed with recorded lots shall not exceed eight feet (8') in height, measured from the surface of the ground, and shall not obstruct vision to an extent greater than twenty-five percent (25) of their total area except that nothing in this subpart shall prevent the erection of fencing for tennis courts, backstops or the like.

2. Fences (nonresidential) shall be permitted in nonresidential districts provided:

a. No fence shall extend into a front or exterior side yard.

b. No fence shall exceed eight (8) feet in height, except barbed wire placed along the top of a fence may project beyond the maximum height limitation of the fence, but no fence, including barbed wire, shall exceed an overall height of eleven (11) feet.

c. No fence shall carry electrical current or charge of electricity.

d. Nothing in this Section shall be interpreted to supersede the applicable requirements of Section 2509 or 2514 of this Ordinance.

### **Sec. 2519. Performance Standards.**

No use otherwise allowed, shall be permitted within any district which does not conform to the following standards of use, occupancy, and operation, which standards are hereby established as the minimum requirements to be maintained within said area:

1. **Smoke.** It shall be unlawful for any person, firm or corporation to permit the emission of any smoke from any source whatever to a density greater than that density described as No. 1 on the Ringelmann Chart; provided that the following exceptions shall be permitted: Smoke, the shade or appearance of which is equal to but not darker than No. 2 of the Ringelmann Chart, for a period, or periods, aggregating four (4) minutes in any thirty (30) minutes.

Method of Measurement: For the purpose of grading the density of smoke, the Ringelmann Chart, as now published and used by the United States Bureau of Mines, which is hereby made a part of the Ordinance, shall be the standard. However, the Umbrascopes readings of smoke densities may be used when correlated with Ringelmann's Chart.

2. **Dust, Dirt and Fly Ash.** No person, firm or corporation shall operate or cause to be operated, maintain or cause to be maintained, any process for any purpose, or furnace or combustion device for the burning of coal or other natural or synthetic fuels, without maintaining and operating, while using said process or furnace or combustion device, recognized and approved equipment, means, method, device or contrivance to reduce the quantity of gas-borne or air-borne solids or fumes emitted into the open air, which is operated in conjunction with said process, furnace or combustion device so that the quantity of gas-borne or air-borne solids shall not exceed 0.20 grains per cubic foot of the carrying medium at a temperature of five hundred (500) degrees Fahrenheit.

Method of Measurement: For the purpose of determining the adequacy of such devices, these conditions are to be conformed to when the percentage of excess air in the stack does not exceed fifty (50) percent at full load. The foregoing requirement shall be measured by the A.S.M.E. Test Code for dust-separating apparatus. All other forms of dust and dirt shall be completely eliminated insofar as escape or emission into the open air is concerned. The Building Inspector [Official] may require such additional data as is deemed necessary to show that adequate and approved provisions for the prevention and elimination of dust and dirt have been made.

3. **Odor.** Offensive, noxious, or foul odors shall not be allowed to escape into the atmosphere in concentrations that are

offensive, that produce a public nuisance or create a hazard to adjoining property, or would be otherwise detrimental to human, plant, or animal life. Michigan Environmental Protection & HAP (Hazardous Air Pollutant Standards) Agency Standard, Act 348, as amended.

4. **Gases.** The escape of or emission of any gas that may be injurious or destructive to life or property, or that is explosive, is prohibited. All uses shall maintain compliance with applicable state and federal regulations and statutes controlling the emission of gases or other substances into the atmosphere, including, but not limited to, Part 55 of 1994 PA 451, as amended, and 42 U.S.C. 7401, et seq.
5. **Airborne Matter, General.** In addition to 1. through above, there shall not be discharged from any source whatsoever such quantities of air contaminants or other material which cause injury, detriment or nuisance to the public or which endanger the comfort, repose, health or safety of persons or which cause injury or damage to business or property.
6. **Glare and Radioactive Materials.** Glare from any process (such as, or similar to, arc welding, or acetylene torch cutting) which emits harmful ultraviolet rays shall be performed in such a manner as not to be seen from any point beyond the property line and as not to create a public nuisance or hazard along lot lines. Radioactive materials, wastes and emissions, including electromagnetic radiation such as generated from an x-ray machine, shall not exceed levels established by Federal or State agencies with regulatory jurisdiction. No operation shall be conducted in a manner that emits, outside of any property line, levels of radiation that exceed the lowest concentration permitted for the general population. NESHAPS (National Emissions Standards for Hazardous Air Pollutants), NRPC 1993, Chapter 41, as amended.
7. **Fire and Explosive Hazards.**
  - a. The storage, utilization or manufacture of materials or products ranging from incombustible to moderate burning, as determined by the Fire Chief, or his designee, is permitted, subject to compliance with all other performance standards above mentioned, and to the provisions of any other applicable City Code or Ordinance. The following shall define the ranges of burning:
    - (1) Intense burning materials are materials which, by virtue of low ignition temperature, high rate of burning, and large heat evolution, burn with great intensity. An example would be Manganese.
    - (2) Free and active burning materials are materials constituting an active fuel. Free burning and active burning is the rate of combustion described by



- a material which burns actively, and easily supports combustion. An example would be fuel oil.
- (3) Moderate burning implies a rate of combustion described by material which supports combustion and is consumed slowly as it burns. An example would be coal.
- b. The storage, utilization, or manufacture of materials, goods or products ranging from free or active burning to intense burning, as determined by the Fire Chief, or his designee, is permitted subject to compliance with all other yard requirements and performance standards previously mentioned, and to the provisions of any other applicable City Code or Ordinance, and providing that the following conditions are met:
- (1) Said materials or products shall be stored, utilized or produced within completely enclosed buildings or structures having incombustible exterior walls, which meet the requirements of the Building Code of the Municipality.
  - (2) All such buildings or structures shall have a setback of at least forty (40) feet from lot lines, or in lieu thereof, all such buildings or structures shall be protected throughout by an automatic sprinkler system complying with the installation standards prescribed by the National Fire Association.
  - (3) The storage and handling of flammable liquids, petroleum, gases, and explosives shall comply with the State Rules and Regulations as established by Public Act No. 207 of 1941 [MCL 29.1 et seq., MSA 4.559(1) et seq.], as amended.
8. **Vibration.** Machines or operations which cause vibration shall be permitted in Industrial Districts, but no operation shall cause a displacement exceeding .003 of one (1) inch as measured at the property line.
9. **Sewage Wastes.** No waste shall be discharged in the public sewer system which is dangerous to the public health and safety. The following standards shall apply at the point wastes are discharged into the public sewer:
- a. Acidity or alkalinity shall be neutralized within an average pH range of between five and one-half (5 1/2) to seven and one-half (7 1/2) as a daily average on the volumetric basis, with a temporary variation of pH 4.50 to 10.0.
  - b. Wastes shall contain no Cyanides. Wastes shall contain no chlorinated solvents in excess of .1 p.p.m.; no Fluorides shall be excess of 10 p.p.m.; and shall contain no more than 5 p.p.m. of Hydrogen Sulphide; and shall contain not more than 10 p.p.m. of Sulphur Dioxide and Nitrates; and shall contain not more than 25 p.p.m. of Chromates.
  - c. Wastes shall not contain any insoluble substance in excess of 10,000 p.p.m. or exceed a daily average of 500 p.p.m. or fail to pass a No. 8 Standard Sieve or have a dimension greater than one-half (1/2) inch.
  - d. Wastes shall not have chlorine demand greater than 15 p.p.m.
  - e. Wastes shall not contain phenols in excess of .05 p.p.m.

- f. Wastes shall not contain any grease or oil or any oily substance in excess of 100 p.p.m. or exceed a daily average of 25 p.p.m.

10. *Noise.*

- a. Definitions. For purposes of this subsection, the following items shall be defined as stated:

- (1) Decibel: A unit of measurement used to express the magnitude of sound pressure or sound intensity. The sound pressure level measured is 20 times the common logarithm of the reference pressure of 20 micro-pascals per square meter.
  - (2) dB(A): The sound pressure level in decibels measured on the "A" scale of a sound level meter having characteristics defined by the American National Standards Institute (ANSI), Publication ANSI s1.4-1971.
  - (3) Sound Level: The "A" weighted sound pressure measured using a sound level meter, as specified by ANSI.
  - (4) Noise: Shall be synonymous with the term "sound," and shall refer to physical manifestation resulting from an oscillation of pressure in air.
  - (5) Day Time Hours: The hours between 7:00 a.m. and 10:00 p.m., local time.
  - (6) Night Time Hours: The hours between 10:00 p.m. and 7:00 a.m., local time
- (b) Noise Disturbances.

- (1) No activity, operation or use of land, open body of water, buildings or equipment shall make, continue or cause to be made or continue, any noise disturbance or allow to be emitted, sound from any source or combination of sources other than a motor vehicle registered for use on public highways, which when measured in accordance with the procedure described in this section exceeds the sound level limits in Table A, below. The measurements made are to be evaluated under Table A based upon the zoning of the property receiving the emitted sound.
- (2) Where background sound levels exceed the sound level limits in Table A, below, a violation shall be deemed to exist if the complained for activity exceeds the background sound levels by six (6) decibels.
- (3) The measurement of sound level shall be made at a height of five (5) feet (+ or -), at a horizontal distance of five and one half (5.5) feet (+ or -) from a lot line or right-of-way line on any lot or right-of-way other than that on which the sound source or sources being measured is located.

The sound level meter shall be a Type I or Type II instrument, adjusted to measure dB(A) sound levels using fast meter response. The instrument calibration shall be verified before use. A wind screen shall be used and no measurement shall be made when the wind speed is in excess of 12 miles per hour.

**TABLE A  
A-WEIGHTED SOUND LEVEL  
LIMITS DECIBELS**

**RECEIVING ZONING DISTRICTS**

R-1, R-2, R-3, R-4, RT, RA, RM-1, RM-2, MH

NCC, B-1, B-2, B-3, EXPO, OS-1, OS-2, OSC, TC, TC-1, RC, FS, C, I-1, I-2, P-1

Night Time Hours Decibels	Day Time Hours Decibels	Night Time Hours Decibels	Day Time Hours Decibels
55	60	70	75

- (4) No person shall sound or permit the sounding of any exterior burglar or fire alarm, or motor vehicle alarm unless such alarm is automatically terminated within 60 minutes of activation.
- (5) No person shall idle a motor vehicle, or unnecessarily race the motor of a motor vehicle in a manner which would annoy or disturb a reasonable person or normal sensitivity.
- (6) Nothing in this subsection shall be interpreted as preempting or otherwise eliminating those provisions of Chapter 22 of the Novi Code of Ordinances pertaining to construction activities and noise.

b. Special land use approvals. No special land use shall be granted unless the applicant demonstrates that the completed structure and all activities associated with the structure and land use can comply with the standards set forth in Table A, above, at all times. The applicant shall submit a noise analysis documenting the ability to comply with said standards, which evaluates all internal and external equipment which generates sound. The reports shall be completed by a certified sound engineer competent to evaluate noise emissions under maximum operating conditions.

**Sec. 2910. Lots Having Water Frontage.**

1. Those residential lots or parcels having water frontage on a body of water having an area of six hundred (600) acres or more and abutting a public thoroughfare shall maintain the yard on the water side as an open un-obscured yard, except that the following may be permitted:

A. A boat well, upon review and approval by the Planning Commission, provided the following conditions are satisfied:

- (1) Erection of the boat well shall not unreasonably impair the view of the lake from adjacent lots or parcels.
- (2) The boat well shall not be located in such a way that it will create a potential safety hazard to boaters on the lake.

- (3) The appearance of the boat well shall be in harmony with the principal use of the lot or parcel.
  - B. A single storage shed, upon review and approval by the Department of Building and Safety, provided the following conditions are satisfied:
    - (1) The shed shall be no larger than ten (10) feet by ten (10) feet in area and no taller than eight (8) feet in height.
    - (2) The lot coverage of the shed is no more than five (5) percent.
    - (3) The shed is a minimum of ten (10) feet from the adjacent roadway, and a minimum of one (1) foot from the side property lines.
    - (4) Multiple platted lots having common ownership shall be considered one lot.
2. Accessory structures shall be permitted upon such water frontage lots in the setback between the abutting road right-of-way and the main building provided the front yard setback required in Section 2400 of this Ordinance is met.
  3. The winter storage (October 1st to May 31st) of boats and docks and materials customarily incidental to the summertime usage of lake front property is permitted on lake front property and provided the property is maintained in a manner to enhance and not obstruct the view of the lake.
  4. The storage of wood on lake front lots is permitted where such storage is immediately adjacent to a house or garage on such lot and otherwise in compliance with all ordinances and regulations. When the firewood is not stored immediately adjacent to a house or garage, the maximum dimensions of the pile shall be three (3) feet in height, three (3) feet in length and eighteen (18) inches in width.

(Ord. No. 99-18.158, Pt. I, 12-6-99)

### **Sec. 2911. Basketball Apparatuses.**

Basketball apparatuses consisting of a single backboard, hoop, and net may project into a front yard or side yard setback area when mounted directly on a garage. As an alternative to a garage mounted apparatus, a single pole-mounted backboard, hoop and net may be erected, provided it is located only in the one-half of the front yard or side yard lawful setback area nearest the dwelling and is contiguous to the driveway.

### **Sec. 3003. Permits.**

The following shall apply in the issuance of any permit:

1. *Permits Not to be Issued.* No building permit shall be issued for the erection, alteration or use of any building or structure or part thereof, or for the use of any land, which is not in accordance with all provisions of this Ordinance.
2. *Permits for New Use of Land.* No land heretofore vacant shall hereafter be used or an existing use of land be hereafter changed to a use of a different class or type unless a certificate of occupancy is first obtained for the new or different use.
3. *Permits for New Use of Buildings.* No building or structure, or part thereof, shall be changed to or occupied by a use of a different class or type unless a certificate of occupancy is first obtained for the new or different use.
4. *Permits Required.* No building or structure, or part thereof, shall be hereafter erected, altered, moved or repaired unless a building permit shall have been first issued for such work. The terms "altered" and "repaired" shall include any changes in structural parts, stair-ways, type of construction, type, class or kind of occupancy, light or ventilation, means of ingress and egress, or other changes affecting or regulated by the City of Novi Building Code [Code of Ordinances, Chapter 7, Article II], Housing Law (Code of Ordinances, Chapter 7, Article III), or this Ordinance, except for minor repairs or changes not involving any of the aforesaid features.

## **BUILDING**

### **Sec. 12-24. Prohibited acts.**

- (a) *Existing or natural drainage.* It shall be unlawful to change the existing or natural drainage of land in the city so as to obstruct, impede, accelerate, channel or concentrate the flow of rain or surface waters onto or from the lands of another so as to cause damage thereto or create a nuisance thereon.
- (b) *Easements and private property.* It shall be unlawful for any person to interfere with or obstruct the flow of surface water over easements for public or private utilities or to impede the flow of surface water across public or private drainage easements or private property in a manner contrary to the approved grading plan and drainage pattern.
- (c) *Landscaping.* It shall be unlawful to construct landscaping which changes the drainage pattern of any property without obtaining a land improvement permit and complying with the conditions of this article. It shall be unlawful to install a newly-seeded or sodded lawn without a lawn installation permit, except as provided in subsection 12-50(a).

(d) *Utility systems.* It shall be unlawful to bury and cover over any utility structures, manholes or other appurtenances, or any utility system with fill dirt, landscaping berms, paving, etc.

(e) *Sanitary sewer.* It shall be unlawful to permit the entry of any roof, footing, or surface water or groundwater into the sanitary sewer system or to direct any roof, footing, ground or surface water in such a manner that it enters the sanitary sewer system.

(Ord. No. 82-103, §§ 11.01--11.06, 6-21-82; Ord. No. 91-103.05, Pt. III, 4-8-91)

### **Sec. 2503. Accessory Uses.**

Accessory uses, except as otherwise permitted in this Ordinance, shall be subject to the following regulations:

#### **1. Accessory Buildings.**

- A. Where the accessory building is structurally attached to a main building, it shall be subject to, and must conform to, all regulations of this Ordinance applicable to the main building.
- B. Accessory buildings shall not be erected in any required front yard or in any required exterior side yard.
- C. No accessory building shall occupy more than twenty-five (25) percent of any required rear yard, provided that in a residential district, the accessory building shall not exceed the ground floor area of the main residence.
- D. No detached accessory building shall be located closer than ten (10) feet to any main building nor shall it be located closer than six (6) feet to any interior side lot or rear lot line.
- E. In those instances where the rear lot line abuts an alley right-of-way, the accessory building shall be no closer than one (1) foot to such rear lot line. In no instance shall an accessory building be located within an easement or dedicated rights-of-way. In those instances where the rear lot line abuts a street right-of-way, the accessory building shall be no closer to this line than the required front yard setback in the district in which the property is located.
- F. No detached accessory building in the R-1 through R-4, RT, RM-1, MH, OS-1, OS-2, B-1, P-1, and NCC Districts shall exceed one (1) story or fourteen (14) feet in height. Accessory buildings in all other districts may be built to a height equal to the maximum permitted height of the district; provided, if the

accessory building exceeds one (1) story or fourteen (14) feet in height, the building shall be set back one (1) foot for each foot the building exceeds fourteen (14) feet in height.

- G. No detached or attached accessory building(s) intended for the parking and storage of private motor vehicles shall exceed, in total aggregate floor space of all such accessory buildings on a lot, six hundred (600) square feet in gross floor area in an R-2, R-3, R-4 or RT District or seven hundred fifty (750) square feet in an R-A or R-1 District.

In addition to the above allowable space for the parking and storage of private motor vehicles, there may be up to two hundred and fifty (250) square feet of space associated with said garage or in a separate detached accessory building on the same lot for the storage of tools and recreation equipment and/or for a dog house.

Notwithstanding the above, not more than one (1) detached accessory building shall be permitted on any lot having less than 21,780 square feet of area. Use of any detached accessory building in any Residential, Business or Office District for a use other than the parking and storage of private motor vehicles, tools, recreation equipment or dog houses requires review and approval by the Board of Appeals.

In no instance shall an accessory building exceed the ground floor area of the principal building on the lot or parcel. Notwithstanding the above, an accessory building in a R-A or R-1 District may exceed the ground floor area of the main building on the lot if (1) the lot or parcel of land on which the accessory building is located has at least one (1) acre of area, (2) such accessory building is customarily incidental to an existing permitted principal use in said Districts, (3) does not exceed two thousand five hundred (2,500) square feet in ground floor area, and (4) complies with applicable setback requirements at Section 2508, 4 and 5, unless approved by the Board of Appeals upon a showing of need and no adverse effect upon adjacent properties.

## 2. ***Accessory Structures.***

- A. Accessory structures, except where otherwise permitted and regulated in this Ordinance, shall be located in the rear yard and shall meet the setback requirements of an accessory building.
- B. Flagpoles may be located within any required front or exterior side yard. Such poles shall be located no closer to a public right-of-way than one-half (1/2) the distance between the right-of-way and the principal building.

- C. (1) Canopies covering gasoline pump islands may extend into the required front or exterior side yards to a point fifteen (15) feet from the street right-of-way line. No signs shall be placed on any canopy other than a sign showing the height of the canopy. Such signs shall not exceed one (1) square foot in total display area.
- (2) Canopies or awnings installed on the facade of a building shall not be considered as extending into the setback area, providing:
- (a) The canopy or awning is retractable, or the canopy or awning can readily be disassembled without visible damage to the building facade or canopy itself; and
- (b) If the canopy or awning is in a nonresidential area, administrative approval through the planning department is granted to assure compliance with this section and all other Zoning Ordinance requirements.
- D. Structures such as private television antennas, pole antennas or other private communication antennas, or towers, shall be located in the rear yard or on a rooftop so long as the height of the antenna, or tower, does not exceed the minimum horizontal distance from its base to the nearest property line; except in no case shall an antenna or tower exceed the maximum height limitation of the district in which it is located. Dish antennas in single- and two-family districts shall be located in the rear yard only and shall be placed in accordance with the requirements governing setbacks for accessory buildings. Dish antennas in all other districts shall be located in the rear yard, an interior yard area that does not make up any part of a peripheral yard area, or on the top of buildings with flat roofs at or near the center of the roof.
- E. The following restrictions shall apply to all buildings and structures other than for single-family residences:
- (1) All roof top climate control equipment, elevator towers, transformer units and satellite dish antenna and similar items shall be screened from view so as not to be visible from any street, road or adjacent property. The planning commission may provide a waiver of this requirement as to satellite dishes where the requirement prevents the reception of satellite delivered signals or imposes costs on the user of such dish antenna that are excessive in light of the purchase and installation cost of the equipment. All wall mounted utility meters and utility outlets shall be enclosed and integrated into the design and color of the building, subject to safety and access requirements of respective utility companies. Refuse bins shall be subject to the screening requirements of Section 16-20 of the Novi Code of Ordinances.



- (2) Roof top appurtenances, including mechanical and electrical equipment, shall not exceed the maximum permitted height limits, subject to the exceptions permitted Section 2903.

**Sec. 2511. Exterior Lighting.**

1. All outdoor lighting in all Use Districts used to light the general area of a specific site shall be shielded to reduce glare and shall be so arranged as to reflect lights away from all adjacent residential districts or adjacent residences.
2. Outdoor lighting poles or standards shall not exceed the maximum height limitation of the district in which they are located, except that no lighting pole or standard shall exceed twenty-five (25) feet in height when located on land adjacent to a residential district.
3. All outdoor lighting in all Use Districts shall be directed toward and confined to the ground areas of lawns or parking lots.
4. All lighting in nonresidential districts used for the external illumination of buildings, so as to feature said buildings, shall be placed and shielded so as not to interfere with the vision of persons on adjacent highways or adjacent property.
5. Illumination of signs shall be directed or shaded downward so as not to interfere with the vision of persons on the adjacent highways or adjacent property.
6. Artificial light shall be maintained in a manner so as not to constitute a hazard or nuisance.

**Sec. 33-722. Sales prohibited.**

- (a) It shall be unlawful to sell or exhibit for sale used motor vehicles or used recreational equipment within the City of Novi, unless the conditions of either (1) or (2), below are satisfied:
  - (1) The sale or exhibiting for sale is conducted as a part of an ongoing business lawfully conducted at a location permitted under the City of Novi Zoning Ordinance, Appendix A to this Code.
  - (2) The sale or exhibiting for sale is conducted on occupied property owned by or leased to the registered owner of the motor vehicle or recreational equipment held for sale, and no more than one (1) motor vehicle or piece of recreational equipment is exhibited for sale at a given time.

- (b) The fact that recreational equipment is being held for **sale** shall not absolve a property owner from compliance with Section 2504 of the City of Novi Zoning Ordinance, Appendix A to this Code (Commercial and Recreational **Vehicle** Parking and Storage).

(Ord. No. 89-142, Pt. I, 2-6-89)

**Sec. 2515. Fences (Residential).**

1. Fences (residential) are subject to the following requirements:

b. Fences on all lots of record in all residential districts, which enclose property and/or are within a required side yard:

(1) Shall not exceed six feet (6') in height;

(2) Shall not extend toward the front of the lot nearer than the minimum front yard setback distance, unless an existing house already extends into the minimum front yard, in which case the fence may extend to the front of the house. The requirements of this subpart shall not apply to decorative fencing (i.e. split rail), of no more than twenty feet (20') in length or four feet (4') in height when erected as part of an approved landscaping plan. In addition, the requirements of the subpart shall not prohibit fences in the front of lots having water frontage where said fences are placed on or within lot property lines, are no higher than four feet (4') and are constructed of materials that will not obstruct the view of the lake. Hedge rows shall not be permitted on a lot having water frontage from the front of the house to the lake.

b.The restrictions of subpart a, above, shall not apply to residential fences on:

(1) Lots in excess of two (2) acres within a recorded plat;

(2) Lots with a frontage of at least two hundred feet (200') within a recorded plat; or

(3) Acreage parcels not within a recorded plat.

c. Fences on lots of record shall not contain barbed wire, electric current or charge of electricity.

d. Fences which enclose public or institutional parks, playgrounds, or public landscaped areas, situated within an area developed with recorded lots shall not

exceed eight feet (8') in height, measured from the surface of the ground, and shall not obstruct vision to an extent greater than twenty-five percent (25) of their total area except that nothing in this subpart shall prevent the erection of fencing for tennis courts, backstops or the like.

2. Fences (nonresidential) shall be permitted in nonresidential districts provided:
  - a. No fence shall extend into a front or exterior side yard.
  - b. No fence shall exceed eight (8) feet in height, except barbed wire placed along the top of a fence may project beyond the maximum height limitation of the fence, but no fence, including barbed wire, shall exceed an overall height of eleven (11) feet.
  - c. No fence shall carry electrical current or charge of electricity.
  - d. Nothing in this Section shall be interpreted to supersede the applicable requirements of Section 2509 or 2514 of this Ordinance.

**Sec. 2910. Lots Having Water Frontage.**

1. Those residential lots or parcels having water frontage on a body of water having an area of six hundred (600) acres or more and abutting a public thoroughfare shall maintain the yard on the water side as an open un-obscured yard, except that the following may be permitted:
  - A. A boat well, upon review and approval by the Planning Commission, provided the following conditions are satisfied:
    - (3) Erection of the boat well shall not unreasonably impair the view of the lake from adjacent lots or parcels.
    - (4) The boat well shall not be located in such a way that it will create a potential safety hazard to boaters on the lake.
    - (3) The appearance of the boat well shall be in harmony with the principal use of the lot or parcel.
  - B. A single storage shed, upon review and approval by the Department of Building and Safety, provided the following conditions are satisfied:
    - (1) The shed shall be no larger than ten (10) feet by ten (10) feet in area and no taller than eight (8) feet in height.

- (2) The lot coverage of the shed is no more than five (5) percent.
    - (3) The shed is a minimum of ten (10) feet from the adjacent roadway, and a minimum of one (1) foot from the side property lines.
    - (4) Multiple platted lots having common ownership shall be considered one lot.
  2. Accessory structures shall be permitted upon such water frontage lots in the setback between the abutting road right-of-way and the main building provided the front yard setback required in Section 2400 of this Ordinance is met.
  3. The winter storage (October 1st to May 31st) of boats and docks and materials customarily incidental to the summertime usage of lake front property is permitted on lake front property and provided the property is maintained in a manner to enhance and not obstruct the view of the lake.
  4. The storage of wood on lake front lots is permitted where such storage is immediately adjacent to a house or garage on such lot and otherwise in compliance with all ordinances and regulations. When the firewood is not stored immediately adjacent to a house or garage, the maximum dimensions of the pile shall be three (3) feet in height, three (3) feet in length and eighteen (18) inches in width.
- (Ord. No. 99-18.158, Pt. I, 12-6-99)

### **Sec. 3003. Permits.**

The following shall apply in the issuance of any permit:

1. *Permits Not to be Issued.* No building permit shall be issued for the erection, alteration or use of any building or structure or part thereof, or for the use of any land, which is not in accordance with all provisions of this Ordinance.
2. *Permits for New Use of Land.* No land heretofore vacant shall hereafter be used or an existing use of land be hereafter changed to a use of a different class or type unless a certificate of occupancy is first obtained for the new or different use.
3. *Permits for New Use of Buildings.* No building or structure, or part thereof, shall be changed to or occupied by a use of a different class or type unless a certificate of occupancy is first obtained for the new or different use.
4. *Permits Required.* No building or structure, or part thereof, shall be hereafter erected, altered, moved or repaired unless a building permit shall have been first issued for such work. The terms "altered" and "repaired" shall include any changes in structural parts, stair-ways, type of construction, type, class or kind of occupancy, light or ventilation, means of ingress and egress, or other changes affecting or regulated by the City of Novi Building Code [Code of Ordinances, Chapter 7, Article II], Housing Law (Code of Ordinances, Chapter

7, Article III], or this Ordinance, except for minor repairs or changes not involving any of the aforesaid features.

## **POLICE**

### **Section 5-1 Definitions.**

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

**Cat** means any feline.

*Dangerous animal* means any wild mammal, reptile or fowl which is not naturally tame or gentle but is of a wild nature or disposition and which, because of its size, vicious nature or other characteristics could constitute a danger to human life or property. The term "dangerous animal" also means and includes any domestic mammal, reptile or fowl which, because of its size or vicious propensity or other characteristics, could constitute a danger to human life or property.

**Dog** means any canine.

*Lot* means a parcel of land occupied or intended to be occupied as a dwelling, together with accessory buildings and yard.

*Premises* means an area of private property, including grounds, buildings and appurtenances. For purposes of interpretation and enforcement of this chapter, any common areas of condominium property shall not be considered the premises or private property of a person residing in or having an ownership interest in a condominium unit. Common areas include all portions of a condominium project other than the condominium units and those areas appurtenant to condominium units.

*Run at large* means the presence of a **dog** at any place except upon the premises of the owner or upon the premises of a person who has given permission. Provided, however, a dog shall not be considered to be running at large if it is on a leash and under the control of a person physically able to control it or in an enclosed vehicle.

(Ord. No. 84-108.02, § 2.01, 4-9-84)

**Cross reference(s)**--Definitions and rules of construction generally, § 1-2.

**Sec. 5-2. Injury to property by dogs or cats; waste products.**

- (a) No person owning or possessing a dog or cat shall permit such dog or cat to go upon any sidewalk, parkway or private lands or premises without the permission of the owner of such premises and bruise, break, tear up, crush, or injure any lawn, flower bed, plant, shrub, tree, or garden in any manner whatsoever or to defecate thereon.
- (b) No person owning or possessing a dog or cat shall cause or permit such dog or cat to be on property, public or private, not owned or possessed by such person unless such person has in his immediate possession an appropriate device for scooping excrement and an appropriate depository for the transmission of excrement to a receptacle located on property owned or possessed by such person. This subsection shall not apply to a person who is visually or physically handicapped.

(Ord. No. 84-108.02, § 3.01, 4-9-84)

**Cross reference(s)**--Offenses against property generally, § 22-66 et seq.

**State law reference(s)**--Malicious mischief, MCL 750.377 et seq., MSA 28.609 et seq.

**Sec. 5-3. Dogs running at large.**

No person owning or possessing a dog shall cause or permit such dog to run at large within the city.

(Ord. No. 84-108.02, § 4.01, 4-9-84)

**Sec. 5-4. Noisy dogs and cats.**

No person shall knowingly own or possess any dog which habitually barks, howls or yelps, or any cat which habitually cries or howls, in such a manner as to disturb the reasonable peace and quiet of the neighborhood. Such dogs and cats are hereby declared to be a public nuisance.

(Ord. No. 84-108.02, § 5.01, 4-9-84)

**Sec. 5-5. Dangerous animals.**

- (a) No person shall own or possess a dangerous animal within the city.

- (b) Subsection (a) of this section shall not apply to:
- (1) Animals under the control of a law enforcement or military agency;
  - (2) Animals which are kept for the protection of property, provided that such animals are restrained by a leash or chain, cage, fence or other adequate means, from contact with the public, or with persons who enter the premises with the actual or implied permission of the owner or occupant;
  - (3) Animals under display or exhibition to the public, provided that:
    - a. Such animals are restrained by a leash or chain, cage, fence or other adequate means, from contact with the public;
    - b. The display or exhibition is for a period of not exceeding ten (10) days; and
    - c. The display or exhibition is conducted in full compliance with the City of Novi Zoning Ordinance.
- (c) Any dangerous animal which is found off the premises of his owner may be seized by any police officer and immediately turned over to the county department of animal control.

(Ord. No. 84-108.02, § 6.01, 4-9-84; Ord. No. 95-108.03, Pt. I, 5-15-95)

#### **Sec. 5-6. Cruelty to animals.**

- (a) No person shall willfully or maliciously inflict unnecessary or needless cruelty, torture, abuse, or cruelly beat, strike or abuse any animal, or by an act, omission or neglect, cause or inflict any unnecessary or unjustifiable pain, suffering, injury or death to any animal whether such animal belongs to such person or to another, except that reasonable force may be employed to drive away vicious or trespassing animals. Any unwanted animal should be delivered to the Oakland County Humane Society for proper disposal.
- (b) No person owning or possessing any animal shall fail, refuse or neglect to provide such animal with food, potable water, shade, or shelter, or cruelly or unnecessarily expose such animal in hot, stormy, cold, or inclement weather, or carry such animal in or upon any vehicle in a cruel or inhumane manner.

(Ord. No. 84-108.02, § 7.01, 4-9-84)

**State law reference(s)**--Cruelty, MCL 752.21 et seq., MSA 28.161 et seq.

#### **Sec. 5-7. Animal bites.**

Anyone having knowledge or reason to believe that any animal in the city has bitten a person shall report within twenty-four (24) hours, so far as is known, the name and address of the owner and circumstances of the animal. Such report concerning bites shall be made to the police department.

(Ord. No. 84-108.02, § 9.01, 4-9-84)

**Sec. 5-8. Parental liability.**

The parent or guardian of any minor claiming ownership of any dog, cat or other animal subject to this chapter, shall be deemed to be the owner of such animal and shall be charged for all penalties and fees imposed under this chapter. (Ord. No. 84-108.02, § 10.01, 4-9-84)

**Sec. 22-91. Playing games on streets and sidewalks.**

It shall be unlawful for any person to play ball, frisbee or any other game on any public street or sidewalk.

(Ord. No. 78-23.02, § 4.01(A.(2)p.), 6-5-78)

**Sec. 22-92. Loitering on public ways.**

It shall be unlawful for any person to loiter on any street, sidewalk, overpass or public place. For the purpose of this section, "loitering" is defined as the act of standing or idling in or about any street, sidewalk, overpass or public place so as to hinder or impede or tend to hinder or impede the passage of pedestrians or vehicles after having been told to move by a police officer.

(Ord. No. 78-23.02, § 4.01(A.(2)o.), (A.(2)p.), (l), 6-5-78)

**Sec. 22-93. Loitering in buildings.**

It shall be unlawful for any person, individually or in concert with others, to willfully enter or remain in any public room in any hotel, motel, office, business establishment, church or public building in the city; to use any public room for business or social purposes; or to obstruct the entrance to any public room so as to interfere with the free and uninterrupted use of such public room by others lawfully there contrary to the expressed wish of the owner, lessee, managing agent or person in control or charge of the building or premises. The term "public room" for the purpose of this section includes any basement, attic, building entrance or doorway, lobby, hallway,



stairway, mezzanine, elevator, foyer, public rest room, sitting room, or any other place used in common by the public, tenants, occupants, guests or customers, and situated in a hotel, motel, office building, public building, church, parking lot, or business establishment in the city.

(Ord. No. 78-23.02, § 4.01(H), 6-5-78)

**Sec. 22-94. Collecting crowds for illegal or mischievous purposes.**

It shall be unlawful for any person to collect or stand in crowds or to arrange, encourage, or abet the collection of persons in crowds for illegal or mischievous purposes in any public place.

(Ord. No. 78-23.02, § 4.01(A.(2)n.), 6-5-78)

**State law reference(s)**--Riots and unlawful assemblies, MCL 752.541 et seq., MSA 28.790(1) et seq.

**Sec. 22-96. Operating public address systems.**

It shall be unlawful for any person to use, maintain or operate a public address system, commonly called "P.A." system, or any other sound amplification system or apparatus, whether on private or public property, in a loud or otherwise offensive manner so as to cause actual physical discomfort to others in the neighborhood. A violation of this section shall constitute a nuisance.

(Ord. No. 78-23.02, § 4.01(K), 6-5-78; Ord. No. 80-23.04, § 1.01, 8-18-80)

**Sec. 22-98. Construction activity.**

- (a) It shall be unlawful for any person to conduct construction activities, including but not limited to, earth moving, excavation, demolition, alteration or repair of any building, street, highway or parking area, except between the hours of 7:00 a.m. and 7:00 p.m., Monday through Saturday, exclusive of legal holidays, unless as otherwise permitted herein.
- (b) The prohibition contained in subsection (a) shall not apply when any of the following conditions exist:
  - (1) The construction activity is on or in connection with an existing single-family residential structure and is conducted by the owner or occupant of that single-family residential structure.

(2) There are no occupied dwelling units within one thousand (1,000) feet of the construction activity.

(3) The construction activity is being conducted by or on behalf of a governmental entity and the building official has determined that conditions necessitate completion of work in an expedited manner, or the construction activity is necessary to respond to an emergency situation and thereby preserve the public health, safety and welfare.

(c) For purposes of this section legal holidays means New Year's Day, Memorial Day, Fourth of July, Labor Day, Thanksgiving and Christmas Day.

(d) Violators of this section shall be responsible for a misdemeanor. Each day a violation exists may be considered a separate violation.

(Ord. No. 93-23.11, Pt. I, 3-29-93)

**Sec. 33-333. Definitions; removal or deposit of snow, ice, or slush which obstructs safety vision prohibited; deposit of snow, ice, or slush prohibited; violation as misdemeanor. (5.55b)**

(b) As used in this section, "safety vision" means an unobstructed line of sight which enables a driver to travel on, enter, or exit a roadway in a safe manner.

(c) A person shall not remove, or cause to be removed, snow, ice, or slush onto or across a roadway or the shoulder of the roadway in a manner which obstructs the safety vision of the driver of a motor vehicle other than an off-road vehicle.

(d) A person shall not deposit, or cause to be deposited, snow, ice, or slush onto or across a roadway or the shoulder of the roadway in a manner which obstructs the safety vision of the driver of a motor vehicle.

(d) A person shall not deposit, or cause to be deposited, snow, ice, or slush on any roadway or highway.

(e) A person who violates this section is guilty of a misdemeanor.

(Ord. No. 81-81.03, Pt. I, 8-17-81)

**Sec. 33-688. Sidewalks to be cleared.**

The occupant of every lot or premises adjoining any street or the owner of such lot or premises if the same are not occupied, shall clear all ice and snow from sidewalks adjoining such lot or premises within the time required in this section. When any snow or ice shall cease to fall during the daylight hours, such snow or ice shall be

cleared from the sidewalks within twelve (12) hours after such cessation. When a fall of snow or ice shall have ceased during the nighttime, it shall be cleared from the sidewalks by 6:00 p.m of the following day.

(Ord. No. 84-115.01, § 7.01, 12-3-84)

**Sec. 33-722.**

**Sales prohibited.**

(a) It shall be unlawful to sell or exhibit for sale used motor vehicles or used recreational equipment within the City of Novi, unless the conditions of either (1) or (2), below are satisfied:

(1) The sale or exhibiting for sale is conducted as a part of an ongoing business lawfully conducted at a location permitted under the City of Novi Zoning Ordinance, Appendix A to this Code.

(2) The sale or exhibiting for sale is conducted on occupied property owned by or leased to the registered owner of the motor vehicle or recreational equipment held for sale, and no more than one (1) motor vehicle or piece of recreational equipment is exhibited for sale at a given time.

(b) The fact that recreational equipment is being held for sale shall not absolve a property owner from compliance with Section 2504 of the City of Novi Zoning Ordinance, Appendix A to this Code (Commercial and Recreational Vehicle Parking and Storage).

(Ord. No. 89-142, Pt. I, 2-6-89)